

Attorney General - Department of Law

	FY 2011 ACTUAL	FY 2012 ESTIMATE	FY 2013 BASELINE
OPERATING BUDGET			
<i>Full Time Equivalent Positions</i>	592.9	592.9	592.9
Personal Services	24,164,800	25,503,500	25,503,500
Employee Related Expenditures	8,624,900	8,989,100	8,989,100
Professional and Outside Services	927,000	3,417,600	3,417,600
Travel - In State	78,400	89,300	89,300
Travel - Out of State	87,600	131,300	131,300
Other Operating Expenditures	5,185,900	5,215,600	5,215,600
Equipment	774,500	697,300	697,300
OPERATING SUBTOTAL	39,843,100	44,043,700	44,043,700
SPECIAL LINE ITEMS			
Military Airport Planning	84,900	85,000	85,000
Risk Management ISA	7,622,200	8,765,900	8,765,900
State Grand Jury	175,200	176,800	176,800
Victims' Rights	3,151,800	3,238,700	3,238,700
AGENCY TOTAL	50,877,200	56,310,100^{1/}	56,310,100
FUND SOURCES			
General Fund	17,237,400	16,931,500	16,931,500
<u>Other Appropriated Funds</u>			
Antitrust Enforcement Revolving Fund	146,600	241,200	241,200
Attorney General Legal Services Cost Allocation Fund	5,447,800	5,397,100	5,397,100
Collection Enforcement Revolving Fund	3,297,500	5,291,900	5,291,900
Consumer Protection - Consumer Fraud Revolving Fund	2,020,500	3,439,800	3,439,800
Interagency Service Agreements Fund	11,953,400	13,004,000	13,004,000
Risk Management Revolving Fund	7,622,200	8,765,900	8,765,900
Victims' Rights Fund	3,151,800	3,238,700	3,238,700
SUBTOTAL - Other Appropriated Funds	33,639,800	39,378,600	39,378,600
SUBTOTAL - Appropriated Funds	50,877,200	56,310,100	56,310,100
Other Non-Appropriated Funds	44,287,800	38,024,800	38,095,800
Federal Funds	7,235,200	6,411,800	5,037,200
TOTAL - ALL SOURCES	102,400,200	100,746,700	99,443,100

AGENCY DESCRIPTION — The Attorney General is an elected constitutional officer. The office provides legal counsel to state agencies, represents the state in juvenile dependency matters, enforces civil rights, environmental, consumer protection and anti-trust laws, and investigates and prosecutes criminal cases, handles criminal appeals, and assists county attorneys.

Operating Budget

The Baseline includes \$44,043,700 and 479.5 FTE Positions in FY 2013 for the operating budget. These amounts consist of:

	FY 2013
General Fund	\$16,669,700
Antitrust Enforcement Revolving Fund	241,200
Attorney General Legal Services Cost Allocation Fund	5,397,100
Collection Enforcement Revolving Fund	5,291,900

Consumer Fraud Revolving Fund	3,439,800
Interagency Service Agreements Fund	13,004,000

These amounts are unchanged from FY 2012.

Military Airport Planning

The Baseline includes \$85,000 and 1 FTE Position from the General Fund in FY 2013 for Military Airport Planning. These amounts are unchanged from FY 2012.

^{1/} In addition to these amounts, a total of \$412,300 GF and \$1,130,700 OF is appropriated in FY 2012 for costs associated with an additional pay period.

A.R.S. § 26-263 appropriated \$85,000 annually (prior to statewide adjustments) from the General Fund to the Attorney General's Office. Therefore, this funding does not appear in the General Appropriation Act. The legislation sought to preserve the state's military bases by appropriating monies to several state agencies and charging them with certain responsibilities. Monies in this line item pay for the department's duties under the original 2004 legislation, including review and determination of compliance with land use plans.

FORMAT — Operating Lump Sum with Special Line Items by Agency

FOOTNOTES

Standard Footnotes

The Attorney General shall notify the President of the Senate, the Speaker of the House of Representatives and the Joint Legislative Budget Committee before entering into a settlement of \$100,000 or more that will result in the receipt of monies by the Attorney General or any other person. The Attorney General shall not allocate or expend these monies until the Joint Legislative Budget Committee reviews the allocations or expenditures. Settlements that pursuant to statute must be deposited in the state General Fund need not be reviewed by the Joint Legislative Budget Committee. This paragraph does not apply to actions under Title 13, Arizona Revised Statutes, or other criminal matter

Risk Management ISA

The Baseline includes \$8,765,900 and 102 FTE Positions from the Risk Management Revolving Fund in FY 2013 for the Risk Management ISA. These amounts are unchanged from FY 2012.

This line item provides funding for the Attorney General's contract with the Risk Management Division within the Arizona Department of Administration.

State Grand Jury

The Baseline includes \$176,800 and 1.6 FTE Positions from the General Fund in FY 2013 for the State Grand Jury. These amounts are unchanged from FY 2012.

This line item funds expenses incurred by the Attorney General to investigate and try matters that are under the jurisdiction of the State Grand Jury.

Victims' Rights

The Baseline includes \$3,238,700 and 8.8 FTE Positions from the Victims' Rights Fund in FY 2013 for Victims' Rights. These amounts are unchanged from FY 2012.

This line item provides monies to state and local agencies that are required to notify victims during various steps in the criminal justice process. The program includes 7.68% of Criminal Justice Enhancement Fund monies and an assessment on parents of juvenile offenders.

In addition to the \$13,004,000 appropriated from the Interagency Service Agreements Fund in FY 2013, an additional \$800,000 and 11 FTE Positions are appropriated from the Interagency Service Agreements Fund in FY 2013 for new or expanded interagency service agreements. The Attorney General shall report to the Joint Legislative Budget Committee whenever an interagency service agreement is established that will require expenditures from the additional amount. The report shall include the name of the agency or entity with which the agreement is made, the dollar amount of the contract by fiscal year and the number of associated FTE Positions.

STATUTORY CHANGES

The Baseline continues the increase in the non-lapsing cap for the Collection Enforcement Revolving Fund from \$100,000 to \$500,000.

SUMMARY OF FUNDS	FY 2011 Actual	FY 2012 Estimate
Anti-Racketeering Revolving Fund (AGA2131/A.R.S. § 13-2314.01)		Non-Appropriated
Source of Revenue: Forfeitures of property and assets to satisfy judgments pursuant to anti-racketeering statutes.		
Purpose of Fund: To investigate and prosecute any offense defined as racketeering pursuant to Arizona statutes.		
Funds Expended	28,907,500	26,495,700
Year-End Fund Balance	38,339,800	37,158,300
Antitrust Enforcement Revolving Fund (AGA2016/A.R.S. § 41-191.02)		Appropriated
Source of Revenue: Monies recovered for the state as a result of antitrust, restraint of trade or price-fixing activity enforcement.		
Purpose of Fund: For antitrust enforcement expenses, excluding attorney compensation.		
Funds Expended	146,600	241,200
Year-End Fund Balance	9,700	0

SUMMARY OF FUNDS	FY 2011 Actual	FY 2012 Estimate
Attorney General Expendable Trust Fund (AGA3102/A.R.S. § 35-149)		Non-Appropriated
Source of Revenue: Restricted donations and gifts from individuals and corporations.		
Purpose of Fund: For purposes specified by donors or grantors.		
Funds Expended	0	5,000
Year-End Fund Balance	0	0
Attorney General Legal Services Cost Allocation Fund (AGA4240/A.R.S. § 41-191.09)		Appropriated
Source of Revenue: The fund receives a pro rata share of appropriated and non-appropriated funds of select state agencies.		
Purpose of Fund: To fund non-contracted Attorney General Legal Services.		
Funds Expended	5,447,800	5,397,100
Year-End Fund Balance	674,400	885,500
CJEF Distribution to County Attorneys Fund (AGA2068/A.R.S. § 41-2401)		Non-Appropriated
Source of Revenue: 9.35% of the Criminal Justice Enhancement Fund (CJEF) monies. CJEF consists of a 47% penalty assessment on fines, violations, forfeitures, and penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations.		
Purpose of Fund: To enhance prosecutorial efforts of county attorneys.		
Funds Expended	5,026,100	3,769,300
Year-End Fund Balance	3,700	0
Collection Enforcement Revolving Fund (AGA2132/A.R.S. § 41-191.03)		Appropriated
Source of Revenue: The fund receives 35% of monies recovered by the Attorney General from debts owed to the state.		
Purpose of Fund: For expenses related to debt collection owed to the state, including reimbursement of other accounts within the department. Also can be used for operating expenses, including any costs associated with the Tobacco Master Settlement Agreement arbitration.		
Funds Expended	3,297,500	5,291,900
Year-End Fund Balance	2,270,400	300,000
Colorado River Land Claims Revolving Fund (AGA2430/A.R.S. § 41-191.05)		Non-Appropriated
Source of Revenue: Receives 25% of monies recovered by the state from the settlement of the State of Arizona's sovereign land claims.		
Purpose of Fund: To pay ownership claims near the Colorado River.		
Funds Expended	0	0
Year-End Fund Balance	12,300	12,300
Consumer Protection - Consumer Fraud Revolving Fund (AGA2014/A.R.S. § 44-1531.01)		Appropriated
Source of Revenue: Any monies recovered for the state from investigative or court costs, attorney fees or civil penalties pertaining to consumer protection or consumer fraud.		
Purpose of Fund: For consumer fraud education and for investigative and enforcement operations of the Consumer Protection Division, excluding attorney compensation. Also can be used for operating expenses, including any costs associated with the Tobacco Master Settlement Agreement arbitration.		
Funds Expended	2,020,500	3,439,800
Year-End Fund Balance	2,753,000	303,400
Court-Ordered Trust Fund (AGA3180/A.R.S. § 35-142)		Non-Appropriated
Source of Revenue: Court-ordered deposits held in trust for parties to lawsuits.		
Purpose of Fund: To assure funds are available to pay judgments. Future payments are dependent on case settlements.		
Funds Expended	5,309,000	2,509,400
Year-End Fund Balance	4,971,000	5,157,000

SUMMARY OF FUNDS	FY 2011 Actual	FY 2012 Estimate
Criminal Case Processing Fund (AGA2461/A.R.S. § 41-2421)		Non-Appropriated
Source of Revenue: A portion of redirected court collections and 0.35% of the surcharge on criminal, motor vehicle, and game and fish statute violations.		
Purpose of Fund: For the processing of criminal cases.		
Funds Expended	77,100	78,400
Year-End Fund Balance	83,600	86,400
Federal Grants (AGA2000/A.R.S. § 41-101)		Non-Appropriated
Source of Revenue: Grants awarded by various federal agencies and state agencies which pass through federal monies.		
Purpose of Fund: To be used in accordance with the terms of the individual grants.		
Funds Expended	3,371,800	5,096,200
Year-End Fund Balance	654,100	713,900
Federal Grants (AGA2117/A.R.S. § 41-101.01)		Non-Appropriated
Source of Revenue: Federal grants for various purposes.		
Purpose of Fund: To be used in accordance with the terms of the individual grants, including drug enforcement, fraud and patient abuse (Arizona Health Care Cost Containment System related), civil rights enforcement, fair housing education and outreach, and hazardous waste.		
Funds Expended	0	0
Year-End Fund Balance	0	0
Federal Grants - American Recovery and Reinvestment Act (ARRA) (AGA2999/A.R.S. § 35-142)		Non-Appropriated
Source of Revenue: One-time Federal Funds allocated by the American Recovery and Reinvestment Act of 2009 (P.L. 111-5).		
Purpose of Fund: One-time Federal Funds to be used by the department for drug, gang, and violent crime efforts and to combat criminal narcotics activity stemming from the Southern border of the United States.		
Funds Expended	3,863,400	1,315,600
Year-End Fund Balance	359,200	0
Indirect Cost Recovery Fund (AGA9000/A.R.S. § 35-142)		Non-Appropriated
Source of Revenue: Federal grant monies and other appropriated and non-appropriated funds.		
Purpose of Fund: To pay administrative costs not directly attributable to any single agency program.		
Funds Expended	83,900	2,149,000
Year-End Fund Balance	733,500	431,900
Interagency Service Agreements Fund (AGA2157/A.R.S. § 41-192)		Appropriated
Source of Revenue: Any monies received by the Attorney General from charges to state agencies for legal services related to interagency service agreements.		
Purpose of Fund: To provide contracted legal services to state agencies and political subdivisions.		
Funds Expended	11,953,400	13,004,000
Year-End Fund Balance	676,200	0
Intergovernmental Agreements Fund (AGA2500/A.R.S. § 35-142)		Non-Appropriated
Source of Revenue: Any monies received from state agencies for specialized projects.		
Purpose of Fund: For costs associated with approved projects.		
Funds Expended	3,011,800	1,337,300
Year-End Fund Balance	288,500	0

SUMMARY OF FUNDS	FY 2011 Actual	FY 2012 Estimate
Microsoft Settlement Fund (AGA1992/A.R.S. § 44-1531.01)		Non-Appropriated
Source of Revenue: State agencies' settlement proceeds from Daisy Mountain Fire District v. Microsoft lawsuit.		
Purpose of Fund: Settlement monies intended to cover software and allowable costs of purchases in FY 2011. The General Accounting Office will reimburse state agencies for approved purchases according to their allotted settlement limits.		
Funds Expended	338,900	96,800
Year-End Fund Balance	96,800	0
Motor Carrier Safety Revolving Fund (AGA2380/A.R.S. § 28-5203)		Non-Appropriated
Source of Revenue: This fund consists of monies appropriated by the Legislature; fines; forfeitures; fees and taxes applied to all manufacturers, shippers, motor carriers and drivers who transport or cause the transportation of hazardous material, substances or waste, as required by A.R.S. Title 28, Chapter 14; and monies received from private grants or donations.		
Purpose of Fund: The Department of Public Safety conducts motor carrier safety investigations, the Motor Vehicle Division of the Department of Transportation administers hearings, and the Attorney General enforces civil penalties.		
Funds Expended	0	0
Year-End Fund Balance	13,600	13,600
Prosecuting Attorneys' Advisory Council Training Fund (AGA2057/A.R.S. § 41-1830.03)		Non-Appropriated
Source of Revenue: 3.03% of Criminal Justice Enhancement Fund monies. CJEF consists of a 47% penalty assessment on fines, violations, forfeitures, and penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations.		
Purpose of Fund: For costs of training, technical assistance for prosecuting attorneys of the state and any political subdivision, and expenses for the operation of the council.		
Funds Expended	1,491,800	1,540,000
Year-End Fund Balance	419,700	248,900
Risk Management Revolving Fund (AGA4216/A.R.S. § 41-622)		Appropriated
Source of Revenue: Actuarial charges assessed to agencies insured under the state's risk management system, as well as recoveries by the state through litigation.		
Purpose of Fund: To pay for the legal services ISA contract between the Attorney General and ADOA.		
Funds Expended	7,622,200	8,765,900
Year-End Fund Balance	1,197,600	0
Street Gang Enforcement Revolving Fund (AGA1022/A.R.S. § 41-191.07)		Non-Appropriated
Source of Revenue: A grant from the Arizona Criminal Justice Commission.		
Purpose of Fund: For gang prevention programs, training prosecutors and law enforcement personnel in the area of street gang prosecution and enforcement, and investigating and prosecuting any offense that is concurrently charged or investigated with any offense relating to criminal street gangs.		
Funds Expended	0	0
Year-End Fund Balance	0	0
Victim Witness Fund (AGA2228/A.R.S. § 41-2407)		Non-Appropriated
Source of Revenue: Grants from the Victim Compensation and Assistance Fund and the Victims of Crime Act Fund.		
Purpose of Fund: To assist crime victims and surviving family members who are involved in felony cases and appellate matters.		
Funds Expended	41,700	43,900
Year-End Fund Balance	1,800	0
Victims' Rights Fund (AGA3215/A.R.S. § 41-191.08)		Appropriated
Source of Revenue: 7.68% of Criminal Justice Enhancement Fund monies and an assessment on parents of juvenile offenders. CJEF consists of a 47% penalty assessment on fines, violations, forfeitures, and penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations.		
Purpose of Fund: For states and local entities that provide victims' rights services and assistance.		
Funds Expended	3,151,800	3,238,700
Year-End Fund Balance	4,118,100	4,099,300